

(URgent)

U.S. DIST. CT: Judge AND/Or Court-
CLERK - 450 GOLDEN GATE AVE.
P.O. BOX 36060
SAN FRANCISCO, CA. 94102-3680

RE: BALKO V. TITON, ET AL,
ON HABEAS CORPUS - CV-08-0159-
-WHA.

Dear COURT CLERK:

I've Just Returned from my
2nd TRIP from psychiatric suicide
prevention - STRIP-cell for observation.

I AM NOW in A 5-DAY OBSERVATION
CELL - FOR PSYCHIATRIC OBSERVATION --
Because of hostility AND/OR idation of
Suicide Because of my Being Beaten &
Raped, By Some Sexually PredicTOr THE
COPS PLACED INTO my cell. I AM Mobility,
Hearing, And Visually Handicapped - ADA.

My ACCESS TO LAW LIBRARY ON E-FACILITY HAS
BEEN completely cut-off. I have no use of
my OWN LAW BOOKS - THE PROPERTY OFFICER:

(MURBERGER) HAS Refused to provide
THEM TO ME. I've sent him 6 Requests,
And 6-Times He has Been EXCEEDINGLY RUDE,
And HAS SAID "yeah I got your request, And
I used it to wipe my Ass, I don't give a SHIT about
COURTS OR Deadlines, maybe I'll get to you next

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Month, OR THE NEXT, SINCE YOU LIKE TO
FILE LAW SUITS AGAINST COPS ASSHOLE!"

"MAYBE SOME OF YOUR PROPERTY WILL
COME UP MISSING, OR YOU MIGHT NOT GET
ANY OF IT." TO SAY THE LEAST THE
GUY IS A REAL JERK. AND HE PLASSED
OUT OVER 20 - GUY'S PROPERTY, AND LEFT
MINE SITTING ON A DOLLY CART FOR 9-DAYS
IN FRONT OF MY CELL - E-1-143-LOW.

I HAVE BEEN IN SOLITARY CONFINEMENT
FOR THE PAST 44-DAYS - WITHOUT SUNSHINE
AND EXERCISE. WITHOUT MY ACTIVE LEGAL DOCUMENTS,
AND LAW BOOKS, NOR MY PERSONAL PROPERTY,
NOR WITH A VALID-CONSTITUTIONAL LOCK-UP
CDCR 114 -LOCK UP ORDER. I WAS TOLD BY MY
COUNSELORS AND CASE MANAGERS I WOULD BE
SINGLE CELL STAFFED - NO CELL MATE. BECAUSE OF
THE RAPE. (I WAS RAPED & BEATEN BY A VIOLENT
SEXUAL PREDATOR WHO ALSO RAPES CHILDREN, IS A
SO-CALLED CRIMINAL GANG BANGER, PIMP, 9 TIMES EX-
- OFFENDER - ALFREDO SAMUEL SPANN ^{AKA Lil-Spann}.)
WHOM GUARDS - FORCED INTO MY CELL - E-5-129-L,
WITH MY OBJECTIONS - I REPORTED IT TO WARDEN
KEN CLARK VIA - AN INMATE GRIEVANCE - 602 APPEAL.
ON OR ABOUT - Dec. 7th OR 8th 2007 TO PRIOR TO
MY BEING BEATEN & RAPED BY SPANN.

I WANT THE MAN PROSECUTED, AND THE GUARDS

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ARE TRYING TO DO ALL THEY CAN TO HUSH IT ALL UP. SWEEP IT UNDER THE RUG. I WANT TO BE SEEN BY A MEDICAL DOCTOR FULLY - BY AN ~~OUTSIDE~~ HOSPITAL AND QUALIFIED EXPERTS. TO SEE IF SPANN HAS TRANSMITTED ANY KIND OF SEXUAL DISEASES TO ME DURING THE RAPE.

I STILL HAVE PLENTY OF SEVERE PAINS, DAILY IN MY LOWER AND UPPER NECK, SEVERE HEADACHE, TROUBLE W/ BOWELS, PAINS IN MY LOWER INTESTINES, PSYCHIATRIC PROBLEMS, AND THE DAILY TORMENT FROM VARIOUS GUARDS AND INMATES WHO JOKE AND CALL ME NAMES BECAUSE I AM A VICTIM OF RAPE. (TO TOP IT ALL OFF THEY STILL WANT \$0, AND HAVE PLACED INMATES INTO MY CELL TO FURTHERMORE OPPRESS ME, AND CAUSE ME MENTAL ANXIETY AND PAIN.

I HAVE ASKED DR. LEO BERGANTINO P.H.D.
TEL. 310-287-9397 - W.L.A. / 1215 BROCKTON
AVE. #104, TO PLEASE PRE-PAY W/ MONEY ORDER
\$5.00 FILING FEES. (HE WILL DO SO. IF YOU CALL
HIM... AND ADVISE HIM HOW TO DO IT...?)
THANK YOUR OWN



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I would like A Ct. ORDER Directing THE
WARDEN KEN CLARK, TO ORDER HIS SUBORDINATES
TO IMMEDIATELY RETURN THE FOLLOWING
ITEMS, NECESSARY TO ME:

1. Very Good Condition Zenith
COLOR T.V. 13" SCREEN w/ OPERATING
speakers; w/cables & wall attachments.
2. SONY-DREAM MACHINE - AM/FM
CLOCK-RADIO ALARM - CASSETTE PLAYER.
3. All Active CASR files - U.S. SUPREME
Ct. Documents & papers; 1 cubic foot
in addition to 6-cubic foot allowed...
FOR EACH ACTIVE FILED STATE OR FEDERAL
CASE IN MY OFFICE FOR EXCHANGE AND USE
AS NEEDED. THE REMAINERS TO BE STORED AND
KEPT CONFIDENTIAL & SAFE.
4. TO IMMEDIATELY REPLACE THE ABOVE-
NAMED APPLIANCES IN VERY GOOD WORKING
ORDER & CONDITION, AS WELL AS ONE ELECTRIC OR
HOT POT AND BOWL TO SETT OUT OF.
WITH 40-ADDITIONAL PAGES OF LINED YELLOW
PAPERS & 40-POSTAGE STAMPS AT 41¢ EA.
* FREE COPY SERVICES OF ALL LEGAL DOCUMENTS,
CASE LAWS, 3-EXTRA WRITING PENS PER WEEK,
HOLD ON THE IMMEDIATE RETURN / OR REPLACE-
MENT OF BROTHER ML 500 TYPEWRITER w/~~4~~ RIBBONS

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(4-Ribbons)

Weekly provided freely by the state with
lift-off correcting ribbons + 4-per wk.
~~Electronic~~ OR AN immediate - Replacement by an office
machine - Quality typewriter which has
the same or better functional qualities to
be used - And - Borrowed until all my
legal work is completed and done on
my calls.

5. THAT ANY - ALL OUTGOING LEGAL MAIL TO
COURTS, ATTORNEYS, MEDICAL, JUDGES,
SENATORS STATE OR FEDERAL, ETC. ETC.
PERMITTED BY LAW... BE LOGGED AND
ENTERED AND INSPECTED BY SOMEONE
NOT BELOW THE RANK OF FACILITY LIEUTENANT
SUNDAY - THRU - THURSDAYS, PRIOR TO
8:45 P.M. AND ASSURE THAT IT IS DELIVERED
TO THE MAIL ROOM AT STAFF PRISON TO BE
LOGGED AS OUTGOING LEGAL MAIL. THAT RESPONDENTS
CEASE & DESIST OPENING & READING WITHHOLDING - DELAYING ANY MAIL
OF LEGAL - CONFIDENTIAL NATURE.

6. THAT I BE SEEN AND EVALUATED BY MEDICAL
RAPE-SPECIALISTS / MEDICAL DOCTORS, AND
MEDICAL NURSES AT A APPROPRIATE HEALTH CARE
FACILITY. ALONG WITH PSYCHOLOGICAL ASSESSMENT
AND ROUTINE WEEKLY - TREATMENT BY A QUALIFIED
STATE MENTAL HOSPITAL SUCH AS MATTEN STATE,
OR SOME KIND OF COMMITMENT TO THAT KIND
OF HOSPITAL. (I REALLY DO NEED HELP!).

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THE DOCTORS AND NURSES HERE ABSOLUTELY ARE SCARED TO DEATH TO SAY OR DO ANYTHING AGAINST THEIR CO-WORKERS - CICR GUARDS IN FEAR OF REPRISALS, RETALIATIONS, AND LOSS OF JOB. THAT'S WHY I WAS NEVER SENT OUT TO AN OUTSIDE HOSPITAL AND NO PROTOCOLS WERE FOLLOWED BY THE RESPONDENTS. AFTER 4 1/2 WEEKS YOU'D THINK I WOULD HAVE BEEN SEEN & TREATED BY SOME MEDICAL DOCTORS.

I HAVE COMPLAINED TO DR. ENEMAH (SP.?) BLACK, HE LISTENED TO MY CHEST, TOOK MY PULSE, EXAMINED MY LEFT FOOT, AND WALKED OUT! I TOLD HIM - I'VE BEEN BEATEN & RAPED, PLEASE HELP ME? HE IGNORED ME...

THE SAME WITH DR. LEE, DR. NORRMAN, DR. SHIMI - REFUSED TO EVEN SPEAK W/ ME.

NORMALLY HE'S HAPPY TO MEET & SPEAK w/ ME AND HELP ME - WITH MY MEDICAL NEEDS.

NOW, THAT WORD HAS GOTTER OUT ABOUT MY FILING IN COURT AGAINST THEM AND BEING IN THE U.S. SUPREME CT. I'M LIKE HOT LAVA, NOBODY WANTS TO SEE OR HELP ME!

I CAN'T PHONE ANYONE - I'M NOT IN SOLITARY CONFINEMENT FOR DISCIPLINE OR PUNISHMENT OR RULE VIOLATION, BUT, FOR SOME OVER-EXAGGERATED COMPLAINT - BASED UPON THE UNCORROBORATED UNTESTED STATEMENTS OF

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some - unqualified - unknown confidential informant... which captain and/or the associate wooden folks, (capt. Cuevas) said they want to return me to E-facility yard. But, I'm here for an investigation of some kind? They even have my Assistant Houseed close-by in a different cell. (Alfredo S. SPANN) was housed in cell - 214. E-I.) And I could see him STARING AT me routinely when I would come out for my shower.

Twice - the Guards - so - easily placed SPANN in a holding cage - right next to me and SPANN said "you know you are a dead man, no matter where they house you somebody is gonna get you -"

Not ONE comment came from the 3-Guards who sat there and heard him say that to me. No reports, no 115, NO nothing!!!

When I reported it to my case worker DR. PRETTY PAUL - he said: "oh what do you want me to do about THAT... so what, just forget about THAT!" And DR. PRETTYPAUL is SPANN's CASE MANAGER AS WELL! What a conflict of interest THAT is! Why not appoint us both THE SAME LAWYER TO BOTH prosecute & defend!!!

"Well How are you Doing Today MR. SPANN?"
 "Any Thoughts of Killing MR. BALBO?"

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I Need immediate psychiatric mental Health Help. PAYSON STATE hospital is A Mental Health State Hospital. I Believe They are seriously equipped to treat my Mental Health needs - I've been committed there 3-00-4 times in the past for my IN-competency - Assessments. - Along w/ treatment for my Bi-polar - Rapid-Cycler Disfunction. I need to spend 18-to-28mos, as a commitment ordered by the Ct. to deal with my medical & mental needs. And I do need counsel appointed to over-see my commitment, and act as a liaison to the court and the prosecutor in this case. As well as for other advisement to protect my legal interests, and to help keep CDCK out of control of my immediate custody & supervision so that I can obtain qualified immediate treatment. OR THE OBVIOUS ALTERNATIVE would be to release me from my unlawful conditions of confinement, and I'll go and get my own private healthcare & psychiatric treatment and obtain my own attorneys, etc. (I'll have to beg and borrow the best attorneys to help me.) I can't allow this rape thing to go away so that SPANN does other children and adults the way he's done me... nor will I allow CDCK and its responsible persons to

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Petitioner - Cannot obtain Any Meaningful Access
to Law Library OR Tools Thereof

TO GET OFF SCOTT FREE FOR VIOLATING
MANY OF MY CONSTITUTIONAL RIGHTS. NO
PERSON(S) SHOULD BE ABLE TO OPERATE ABOVE-
AND BEYOND THE LAWS, AND/OR ACT IN CONCERT
AND IN COLLUSION TO DO WITH OTHERS TO DEPRIVE
PEOPLE OF THEIR INHERENT RIGHTS AND PROTEC-
TIONS OF THE UNITED STATES CONSTITUTION, OR
ANY AMENDMENTS THEREOF. TO DEPRIVE ME
OF MY OWN LEGAL TOOLS - TO REDRESS WRONG-
FUL AND ILLEGAL ADMINISTRATIVE PROCEDURES
AS WELL AS MY RIGHT TO ACCESS THE COURTS
AND TO RECEIVE TIMELY - ADEQUATE - MEDICAL
CARE AND IMMEDIATE TREATMENT FROM
DAILY PAIN, AND ONLY GIVING LIP SERVICE,
REFUSING TO IMMEDIATELY SEND ME TO OUT-
SIDE MEDICAL SPECIALISTS, AND REFUSING
TO IMMEDIATELY MAIL TO THE COURTS MY
CONFIDENTIAL LEGAL DOCUMENTS, PROVIDE
SOME RECEIPT IN RETURN, AND OPEN &
READING, AND RETURNING TO ME MY LEGAL PRO-
MOTIONS BECAUSE RESPONDENTS REFUSE
TO FOLLOW THEIR OWN RULES, REGULATIONS,
POLICIES, BECAUSE THEY CHOSE TO NOT FOLLOW
THE LAW, AND INSTEAD BREAK THUS INTENDED TO
PROTECT PRISONERS FROM ARBITRARY AND
CAPRICIOUS ACTS, AND WILFUL OPPRESSION.
(FOR INSTANCE ONE SMALL WRITING PEN ISSUED
WEEKLY IS THE WHILE. RESPONDENTS REFUSE TO ISSUE

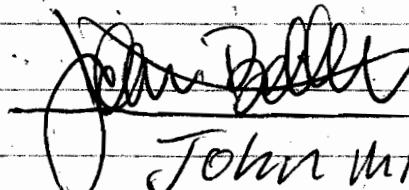
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He pen And/OR 5 sheets of WRITING paper -
But once A MONTH if they so choose to, without
any fear of SUPERVISOR'S intervention to protect
THE INMATES RIGHTS. THIS HAS BECOME AN ONGOING
ABUSE OF UNINTENDED powers BY GUARDS IN Ad-seg.
Ad-a-1, OR ASU-E-1-facility.

Petitioner will be unable to further -
WRITE TO THIS COURT WITHOUT SPECIFIC
CLEAR IMMEDIATE COURT ORDERS BEING ISSUED.
THIS IS HIS LAST PEN, AND HE HASN'T ENOUGH
SUPPLIES TO CONTINUE TO WRITE MOTIONS, AND
PETITIONER'S LAW BOOKS, PAPERS, PENS,
TYPEWRITER, AND ALL OTHER TOOLS HAVE BEEN
CONFISCATED AND HE CAN'T GET TO THE E-SITE.
LAW LIBRARY TO USE ADD EQUIPMENT.

I hereby declare THAT THE FOREGOING
IS TRUE AND CORRECT.

Executed on this 23d day of JANUARY
2008, AT SATF STATE PRISON, in
CORCORAN, CALIFORNIA. 93272-5282



John Michael BALDO

PETITIONER / DECLARANT
IN PRO SE

Ad-seg-E-1-111-L

1-23-08